

CHADBOURNE
& PARKE LLP

WC 05-38

STAMP AND RETURN

January 12, 2005

Via Courier

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RECEIVED

JAN 12 2005

Federal Communications Commission
Office of Secretary

Re: Section 63.71 Application

Dear Ms. Dortch:

Choice One Communications of Connecticut Inc., Choice One Communications of Massachusetts Inc., Choice One Communications of New York Inc., and Choice One Communications of Pennsylvania Inc. (collectively "Choice One"), by their counsel, hereby submit a Section 63.71 Application for Authority to Discontinue Service to a Limited Number of Customers.

An original and five (5) copies of filing are enclosed. Please date-stamp the enclosed additional copy of this notice and return it to us via courier.

Respectfully submitted,



Dana Frix
Kemal Hawa
Chadbourne & Parke LLP

Counsel for Choice One

cc: Elizabeth J. McDonald, Esq.

**Before the
Federal Communications Commission**

In the Matter of)
Section 63.71 Application of)
)
Choice One Communications of Connecticut)
Inc., Choice One Communications of)
Massachusetts Inc., Choice One)
Communications of New York Inc. and)
Choice One Communications of Pennsylvania)
Inc.)
)
For Authority Pursuant to Section 214 of)
the Communications Act of 1934, as Amended,)
to Discontinue the Provision of Local and)
Long Distance Service to a Limited Number)
Of Customers)

**Application for Authority to Discontinue Service
To A Limited Number of Customers**

Choice One Communications Inc. ("Choice One") on behalf of certain of its operating subsidiaries, including Choice One Communications of Connecticut Inc., Choice One Communications of Massachusetts Inc., Choice One Communications of New York Inc., and Choice One Communications of Pennsylvania Inc. (collectively "Choice One Companies") and pursuant to Section 214(a) of the Communications Act of 1934 as well as Sections 63.71 and 63.505 of the Commissions Rules (47 C.F.R. §63.71 and §63.505), hereby requests authority for the Choice One Companies to discontinue service to a limited number of customers in the states of Connecticut, Massachusetts, New York, and Pennsylvania as described herein.

Choice One has just successfully completed a pre-packaged reorganization which has substantially strengthened Choice One's ability to provide local, long distance, data and Internet services to customers throughout the 29 markets it serves in 12 states. As part of its ongoing review of operations, Choice One has concluded that it will discontinue certain limited collocation operations in four states. As a result, Choice One will be unable to continue to provide facilities-based service to a limited number of customers served by those collocation operations.

I. Description of Choice One and Circumstances of Discontinuance

Choice One is a leading integrated communications provider offering voice and data services including Internet solutions, to businesses in 29 markets across 12 Northeast and Midwest states. Choice One reported \$320 million of revenue in 2003, has more than 100,000 clients and employs approximately 1,200 colleagues.

As the Commission is aware, Choice One has recently undergone a successful reorganization. On October 5, 2004, Choice One filed a bankruptcy petition in the United States Bankruptcy Court for the Southern District of New York to effectuate a proposed plan of Reorganization. That plan of Reorganization was approved by the court on November 8, 2004, and was consummated shortly thereafter.

In order to effectuate the realignment of its business, Choice One has concluded that it will discontinue collocation operations in 15 central offices in four states, thereby necessitating the termination of service to approximately 617 Choice One customers. Nine such collocations are in Connecticut, one is in Massachusetts, four are

in New York, and one is in Pennsylvania. As noted below, all such customers are located in metropolitan areas where alternative local and long distance telephone service is readily available and therefore the modest discontinuance of service described herein will not harm the public interest. The Choice One Companies will otherwise continue to provide high-quality telecommunications services in each of their respective states.

II. Information Required by 47 C.F.R. § 63.505

A. Applicants

Choice One Communications of Connecticut Inc.
Choice One Communications of Massachusetts Inc.
Choice One Communications of New York Inc.
Choice One Communications of Pennsylvania Inc.
100 Chestnut Street, Suite 600
Rochester, NY 14604

B. Responsible Officer

Questions concerning this application can be directed to the undersigned, or to

Elizabeth J. McDonald, Esq.
General Counsel
Choice One Communications Inc.
100 Chestnut Street
Rochester, NY 14604
Phone: (585) 697-7972 or (888) 832-5800
Fax: (585) 697-7805
emcdonald@choiceonecom.com

**C. Nature and Date of Proposed Discontinuance as well as
Geographic Location of Discontinuance**

As a result of its Reorganization, Choice One will be terminating collocation arrangements in the locations identified below. Accordingly, customers served by Choice One facilities terminating in the central offices noted below will no longer be able to receive such service from Choice One. Choice One anticipates that such services will be discontinued no later than March 15, 2005.

Market	LEC	ST	CLLI	Community
Hartford	SNET	CT	WHFRCT02	WEST HARTFORD
Hartford	SNET	CT	ENFDCT01	ENFIELD
Hartford	SNET	CT	WLKSCT00	WINDSOR LOCKS
Hartford	SNET	CT	OLSYCT00	OLD SAYBROOK
Hartford	SNET	CT	WNDST00	WINDSOR
Hartford	SNET	CT	SMBYCT00	SIMSBURY
New Haven	SNET	CT	MDSNCT01	MADISON
New Haven	SNET	CT	NGTCCT00	NAUGATUCK
New Haven	SNET	CT	SMFRCT01	STAMFORD
Rochester	FTR	NY	ROCHNYXS	LINDEN AVE
Albany	VZ	NY	PGHKNYSP	POUGHKEEPSIE
Albany	VZ	NY	PLBGNYPB	PLATTSBURGH
Albany	VZ	NY	WPFLNYWF	WAPPINGERS FALLS
Millersville	VZ	PA	MIVLPAMI	MILLERSVILLE
Worcester	VZ	MA	WHVLMAPA	WHITINSVILLE

D. Tariff Listings

Choice One tariffs will not need to be revised as a result of this select discontinuance. With the exception of a limited number of customers served by facilities in the

collocation locations described above, Choice One will continue to provide service to its customers in each of the 29 markets it currently serves.

E. Notice to Affected Customers

The Choice One Companies provided written customer notice in accordance with Sections 63.71(a) of the Commission's Rules on January 7, 2005 (Massachusetts, New York, Pennsylvania) and January 11, 2005 (Connecticut). The notices were sent by U.S. Mail, postage prepaid. Form copies of the notices sent in Connecticut, Massachusetts, New York and Pennsylvania are appended hereto as Attachment A.¹

F. Dominance

The Choice One companies are non-dominant with respect to the services described in this application.

G. Service on Agencies

In accordance with Section 63.71 of the Commission's Rules, a copy of this application is being mailed to the Governors and public service commissions of the states of Connecticut, Massachusetts, New York, and Pennsylvania, as well as to the Special


¹ Choice One has entered into an arrangement with Conversent Communications whereby Conversent will solicit certain of the Connecticut customers affected by this discontinuance. Those customers being solicited will receive a notice that varies from the form notices used for all other customers. A copy of such letter is also provided at Attachment A.

Assistant for Telecommunications for the Secretary of Defense, concurrently with the filing of this application.

Conclusion

For the reasons described herein, the Choice One Companies respectfully request approval for the limited discontinuance of service described herein.

Respectfully submitted,



Dana Frix
Kernal Hawa

Chadbourn & Parke LLP
1200 New Hampshire Avenue NW
Suite 300
Washington DC, 20036
202-974-5691

Counsel for Choice One Companies

Dated: January 12, 2005

Attachment A

Copies of Customer Notices Sent in Connecticut, Massachusetts, New York and Pennsylvania

1. The following information was obtained from the records of the Department of Public Safety, State of Connecticut, dated 10/10/03:

2. The following information was obtained from the records of the Department of Public Safety, State of Massachusetts, dated 10/10/03:

3. The following information was obtained from the records of the Department of Public Safety, State of New York, dated 10/10/03:

4. The following information was obtained from the records of the Department of Public Safety, State of Pennsylvania, dated 10/10/03:

January 11, 2005
Customer Name
Address
City, CT zip

**YOU MUST CHOOSE A NEW LOCAL, LONG DISTANCE AND/OR INTERNET
SERVICE PROVIDER BY FEBRUARY 11, 2005**

Dear Customer:

We regret to inform you that, although Choice One Communications will continue to provide service to Connecticut customers generally, as of March 11, 2005, Choice One will no longer provide local, long distance and/or Internet services to the specific service location listed below:

<Service Location Address>

Your action is required! You must select a new provider for each of the services (local, long distance, toll-free, data and/or Internet services) Choice One currently provides this specified service location. Please act quickly to select a new carrier no later than February 11, 2005. All of your services must be converted by March 11, 2005 or you risk losing service.

Please note:

If Choice One is your local telephone provider but not your long distance or Internet provider:

- Please contact an alternative local telephone provider.
- After selecting a new local telephone provider, please also contact your current long distance and/or Internet service providers to confirm those services.

If Choice One provides your long distance, toll free, data and/or Internet services (but not local service):

- Please contact an alternative provider for these services.

Choice One will soon file an application with the U.S. Federal Communications Commission ("FCC") seeking approval of its proposed limited discontinuance of service to certain customers. The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days of receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the § 63.71 Application of Choice One Communications of Connecticut Inc. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

Choice One extends our appreciation and sincere thanks for giving us the opportunity to serve you. Your new service provider should not necessarily charge you for the privilege of obtaining your business in these circumstances. However, if your new provider charges you a fee for migrating to its network, Choice One will reimburse you up to Twenty Dollars (\$20.00). To obtain reimbursement, please send us a copy of the invoice from your new provider evidencing

the charge along with a statement that this is a charge that you have in fact paid. Please call our toll-free 800 number below for instructions on where to send this information.

We regret any inconvenience this change may cause you. If you need help identifying alternative local, long distance or Internet service providers you can generally find them in your local directory. If you desire our assistance please call our Client Relationship Center at 888-832-5801 or contact your specific Choice One representative.

Sincerely,

Choice One Communications

January 11, 2005

Customer Name
Address
City, CT zip

**YOU MUST CHOOSE A NEW LOCAL, LONG DISTANCE AND/OR INTERNET
SERVICE PROVIDER BY FEBRUARY 11, 2005**

Dear Customer:

We regret to inform you that, although Choice One Communications will continue to provide service to Connecticut customers generally, as of March 11, 2005, Choice One will no longer provide local, long distance and/or Internet services to the specific service location listed below:

<Service Location Address>

However, for your convenience we have entered into an arrangement with **Conversent Communications**, a provider of voice and data services in your area, whereby Choice One and Conversent will work together in an effort to migrate your service to Conversent's network, which should allow you to retain comparable services. A Conversent representative will be contacting you shortly. More information concerning Conversent Communications is provided below. Importantly, you will not be charged a connection or installation charge by Conversent.

Your action is required! You must select Conversent or another provider for each of the services (local, long distance, toll-free, data and/or Internet services) Choice One currently provides this specified service location. Please act quickly to select a new carrier no later than February 11, 2005. All of your services must be converted by March 11, 2005 or you risk losing service..

Please note:

If Choice One is your local telephone provider but not your long distance or Internet provider:

- Please contact Conversent or an alternative local telephone provider.
- After selecting a new local telephone provider, please also contact your current long distance and/or Internet service providers to confirm those services.

If Choice One provides your long distance, toll free, data and/or Internet services (but not local service):

- Please contact Conversent or an alternative provider for these services.

Information about Conversent Communications. Established in 1998, Conversent is a competitive local exchange carrier providing voice and data services to customers from Maine to New Jersey. It is a facilities-based communications provider that offers voice, data and Internet

services that are bundled to meet the specific needs of each customer. **You can reach a Conversent Customer Representative at 1-888-839-9133 or sales@conversent.com.**

Choice One will soon file an application with the U.S. Federal Communications Commission ("FCC") seeking approval of its proposed *limited discontinuance of service* to certain customers. The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days of receipt of this notification. Address them to the *Federal Communications Commission*, Washington, DC 20554, referencing the § 63.71 Application of Choice One Communications of Connecticut Inc. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

Choice One extends our appreciation and sincere thanks for giving us the opportunity to serve you. Your new service provider(s) should not necessarily charge you for the privilege of obtaining your business in these circumstances. As we noted above Conversent will not impose upon you any such charge. However, if you select another provider, and that provider charges you a fee for migrating to its network, Choice One will reimburse you up to Twenty Dollars (\$20.00). To obtain reimbursement, please send us a copy of the invoice from your new provider evidencing the charge along with a statement that this is a charge that you have in fact paid. Please call our toll-free 800 number below for instructions on where to send this information.

We regret any inconvenience this change may cause you. If you need help identifying alternative local, long distance or Internet service providers you can generally find them in your local directory. If you desire our assistance (or have any additional questions about this transition), please call our Client Relationship Center at 888-832-5801 or contact your specific Choice One representative.

Sincerely,

Choice One Communications

January 7, 2005

Customer Name

Address

City, PA zip

YOU MUST CHOOSE A NEW LOCAL, LONG DISTANCE AND/OR INTERNET SERVICE PROVIDER BY FEBRUARY 7, 2005

Dear Customer:

We regret to inform you that, although Choice One Communications will continue to provide service to Pennsylvania customers generally, as of March 7, 2005, Choice One will no longer provide local, long distance and/or Internet services to the specific service location listed below:

<Service Location Address>

Your action is required! You must select a new provider for each of the services (local, long distance, toll-free, data and/or Internet services) Choice One currently provides this specified service location. Please act quickly to select a new carrier no later than February 7, 2005. All of your services must be converted by March 7, 2005 or you risk losing service.

Please note:

If Choice One is your local telephone provider but not your long distance or Internet provider:

- Please contact an alternative local telephone provider.
- After selecting a new local telephone provider, please also contact your current long distance and/or Internet service providers to confirm those services.

If Choice One provides your long distance, toll free, data and/or Internet services (but not local service):

- Please contact an alternative provider for these services.

Choice One soon will file an application with the U.S. Federal Communications Commission ("FCC") seeking approval of its proposed discontinuance of service. The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the § 63.71 Application of Choice One Communications of Pennsylvania Inc. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

You may also contact the Pennsylvania Public Utility Commission, Bureau of Consumer Services, P.O. Box 3265, Commonwealth Keystone Building, 400 North Street, Harrisburg, Pennsylvania 17105, 717-783-5187, 800-782-1110, 717-787-6641 (fax), with questions or comments.

Choice One extends our appreciation and sincere thanks for giving us the opportunity to serve you. We regret any inconvenience this change may cause you. If you need help identifying alternative

local, long distance or Internet service providers you can generally find them in your local directory. If you desire our assistance please call our Client Relationship Center at 888-832-5801 or contact your specific Choice One representative.

Sincerely,

Choice One Communications

January 7, 2005

Customer Name
Address
City, MA zip

YOU MUST CHOOSE A NEW LOCAL, LONG DISTANCE AND/OR INTERNET SERVICE PROVIDER BY FEBRUARY 16, 2005

Dear Customer:

We regret to inform you that, although Choice One Communications will continue to provide service to Massachusetts customers generally, as of March 7, 2005, Choice One will no longer provide local, long distance and/or Internet services to the specific service location listed below:

<Service Location Address>

Your action is required! You must select a new provider for each of the services (local, long distance, toll-free, data and/or Internet services) Choice One currently provides this specified service location. Please act quickly to select a new carrier no later than February 16, 2005. All of your services must be converted by March 7, 2005 or you risk losing service.

Please note:

If Choice One is your local telephone provider but not your long distance or Internet provider:

- Please contact an alternative local telephone provider.
- After selecting a new local telephone provider, please also contact your current long distance and/or Internet service providers to confirm those services.

If Choice One provides your long distance, toll free, data and/or Internet services (but not local service):

- Please contact an alternative provider for these services.

Choice One soon will file an application with the U.S. Federal Communications Commission ("FCC") seeking approval of its proposed limited discontinuance of service to select customers. The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days of receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the § 63.71 Application of Choice One Communications of Massachusetts Inc. Comments should include specific information about the impact of this

proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

Choice One extends our appreciation and sincere thanks for giving us the opportunity to serve you. We regret any inconvenience this change may cause you. If you need help identifying alternative local, long distance or Internet service providers you can generally find them in your local directory. If you desire our assistance please call our Client Relationship Center at 888-832-5801 or contact your specific Choice One representative.

Sincerely,

Choice One Communications

January 7, 2005

Customer Name
Address, City, NY zip

**YOU MUST CHOOSE A NEW LOCAL, LONG DISTANCE AND/OR INTERNET
SERVICE PROVIDER BY FEBRUARY 7, 2005**

Dear Customer:

We regret to inform you that, although Choice One Communications will continue to provide service to New York customers generally, as of March 7, 2005, Choice One will no longer provide local, long distance and/or Internet services to the specific service location listed below:

<Service Location Address>

Your action is required! You must select a new provider for each of the services (local, long distance, toll-free, data and/or Internet services) Choice One currently provides this specified service location. Please act quickly to select a new carrier no later than February 7, 2005. All of your services must be converted by March 7, 2005 or you risk losing service.

Please note:

If Choice One is your local telephone provider but not your long distance or Internet provider:

- Please contact an alternative local telephone provider.
- After selecting a new local telephone provider, please also contact your current long distance and/or Internet service providers to confirm those services.

If Choice One provides your long distance, toll free, data and/or Internet services (but not local service):

- Please contact an alternative provider for these services.

If you have signed a term service agreement with Choice One, you will not be penalized for early termination charges when you transition your services. However, you remain responsible for payment of all outstanding Choice One invoices through the date of your conversion. Your last invoice will arrive within 30 days after you convert your services to another provider. You may be subject to suspension or termination of your phone service in accordance with Public Service Commission rules if you fail to pay your telephone bill.

Choice One will soon file an application with the U.S. Federal Communications Commission ("FCC") seeking approval of its proposed limited discontinuance of service to certain customers. The FCC will normally authorize this proposed discontinuance of service (or

reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days of receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the § 63.71 Application of Choice One Communications of New York Inc. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.


Choice One extends our appreciation and sincere thanks for giving us the opportunity to serve you. We regret any inconvenience this change may cause you. If you need help identifying alternative local, long distance or Internet service providers you can generally find them in your local directory. If you desire our assistance please call our Client Relationship Center at 888-832-5801 or contact your specific Choice One representative.

Sincerely,

Choice One Communications

CERTIFICATE OF SERVICE

I, Kemal Hawa, hereby certify that true and correct copies of the foregoing "Application for Authority to Discontinue Service to a Limited Number of Customers" were sent by U.S. Postal Service, First Class Mail to the following individuals on this 12th day of January, 2005.


Kemal Hawa

Copies to:

Ms. Louise Rickard
Executive Secretary
Department of Public Utility Control
10 Franklin Square
New Britain, CT 06051

Ms. Mary L. Cottrell, Secretary
Commonwealth of Massachusetts
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Ms. Jackie Brillling
Secretary
New York State Public Service Commission
3 Empire State Plaza, 20th Floor
Albany, NY 12223

Mr. James McNulty
Secretary
Pennsylvania Public Utility Commission
400 N Street
Harrisburg, PA 17105

The Honorable M. Jodi Rell
Office of the Governor
State Capital
210 Capitol Avenue
Hartford, CT 06106

The Honorable Mitt Romney
Office of the Governor
Room 360
Boston, MA 02133

The Honorable George E. Pataki
Office of the Governor
State Capitol
Albany, NY 12224

The Honorable Edward G. Rendell
Office of the Governor
225 Main Capitol Building
Harrisburg, PA 17120

The Honorable Donald H. Rumsfeld
Secretary of Defense
Attention: Special Assistant for
Telecommunications
1000 Defense Pentagon
Washington, D.C. 20301-1000